

AMENDMENT TO RULES COMMITTEE PRINT 116–

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**OFFERED BY MR. CUNNINGHAM OF SOUTH
CAROLINA**

Add at the end of subtitle B of title XVI the following new section:

1 SEC. 1615. NOTIFICATION OF CERTAIN THREATS TO
2 UNITED STATES ARMED FORCES BY FOREIGN
3 GOVERNMENTS.

4 (a) DEFINITIONS.—In this section:

5 (1) ANYTHING OF PECUNIARY VALUE.—The
6 term “anything of pecuniary value” has the meaning
7 given that term in section 1958(b)(1) of title 18,
8 United States Code.

9 (2) CONGRESSIONAL INTELLIGENCE COMMIT-
10 TEES.—The term “congressional intelligence com-
11 mittees” has the meaning given that term in section
12 3 of the National Security Act of 1947 (50 U.S.C.
13 3003).

14 (3) CONGRESSIONAL LEADERSHIP.—The term
15 “congressional leadership” includes the following:

16 (A) The majority leader of the Senate.

17 (B) The minority leader of the Senate.

1 (C) The Speaker of the House of Rep-
2 resentatives.

3 (D) The minority leader of the House of
4 Representatives.

5 (4) DIRECT MEANS.—The term “direct means”
6 means without the use of intermediaries.

7 (5) FOREIGN GOVERNMENT.—The term “for-
8 eign government” means the government of a for-
9 eign country with which the United States is at
10 peace, irrespective of recognition by the United
11 States.

12 (6) HIGH CONFIDENCE.—The term “high con-
13 fidence”, with respect to a determination, means
14 that the determination is based on high-quality in-
15 formation from multiple sources.

16 (7) INDIRECT MEANS.—The term “indirect
17 means” means through, or with the assistance of,
18 intermediaries.

19 (8) MODERATE CONFIDENCE.—The term “mod-
20 erate confidence”, with respect to a determination,
21 means that a determination is credibly sourced and
22 plausible but not of sufficient quality or corrobo-
23 rated sufficiently to warrant a higher level of con-
24 fidence.

1 (b) DETERMINATION THAT FOREIGN GOVERNMENT
2 INTENDS TO CAUSE THE DEATH OF OR SERIOUS BODILY
3 INJURY TO MEMBERS OF THE ARMED FORCES.—The Di-
4 rector of National Intelligence shall carry out subsection
5 (c) if the Director, in consultation with the heads of the
6 elements of the intelligence community determined appro-
7 priate by the Director, determines with moderate or high
8 confidence that, on or after the date of the enactment of
9 this Act, the following:

10 (1) An official or agent of a foreign government
11 is deliberately seeking to cause the death of or seri-
12 ous bodily injury to any member of the United
13 States Armed Forces.

14 (2) Such official or agent is seeking to cause
15 such death or serious bodily injury through direct
16 means or indirect means, including through a prom-
17 ise or agreement by the foreign government to pay
18 anything of pecuniary value to an individual or orga-
19 nization in exchange for causing such death or seri-
20 ous bodily injury.

21 (c) BRIEFING.—

22 (1) IN GENERAL.—Not later than 14 days after
23 making a determination under subsection (b), the
24 Director of National Intelligence shall provide to the
25 congressional leadership, the congressional intel-

1 ligence committees and, consistent with the protec-
2 tion of sources and methods, the Committees on
3 Armed Services of the House of Representatives and
4 the Senate, a briefing on such determination. The
5 briefing shall be classified and address, at a min-
6 imum, the following:

7 (A) A description of the nature and extent
8 of the effort by the foreign government to tar-
9 get members of the United States Armed
10 Forces.

11 (B) An assessment of what specific offi-
12 cials, agents, entities, and departments within
13 the foreign government ordered, authorized, or
14 had knowledge of the effort.

15 (C) An assessment of the motivations of
16 the foreign government for undertaking such an
17 effort.

18 (D) An assessment of whether the effort of
19 the foreign government was a substantial factor
20 in the death or serious bodily injury of any
21 member of the United States Armed Forces.

22 (E) Any other information the Director de-
23 termines appropriate.

24 (2) UPDATED BRIEFINGS.—On a quarterly
25 basis beginning on the date of an initial briefing

1 under paragraph (1) regarding a determination
2 under subsection (b) and ending on the date on
3 which the Director determines that the determina-
4 tion under such subsection no longer applies, the Di-
5 rector shall provide to the officials and committees
6 specified in such subsection an updated briefing.

7 (3) PROTECTION OF SOURCES AND METH-
8 ODS.—This subsection shall be carried out in a man-
9 ner that is consistent with the protection of sources
10 and methods.

